

1 MCKOOL SMITH PC
2 Gayle Rosenstein Klein
3 State Bar No. 237975
4 399 Park Avenue, Suite 3200
5 New York, New York 10022
Telephone: (212) 402-9400
Facsimile: (212) 402-9444
Email: gklein@mckoolsmith.com

6 Attorneys for SPECIALLY APPEARING
DEFENDANT Wi-LAN Inc.

12 MARVELL SEMICONDUCTOR INC., Case No. C 08-CV-05544 (JW)
13 ET AL.,
14 Plaintiffs,
15 v.
16 WI-LAN INC.,
Defendant.
**STIPULATION FINDING AS MOOT
TO EXTEND TIME TO
RESPOND TO COMPLAINT**

19 Subject to its special appearance, specially appearing defendant Wi-LAN Inc., by and
20 through its counsel, requests that defendant's time to answer or otherwise plead to the complaint
21 be extended until a date ten (10) days after this Court's ruling on Wi-LAN Inc.'s Motion to
22 Dismiss for Lack of Personal Jurisdiction, Subject Matter Jurisdiction and Improper Venue, and
23 Motion to Transfer to First Filed Forum, filed January 15, 2009, in a related declaratory
24 judgment action styled *Intel Corp. v Wi-LAN Inc.* et al, 5:08-cv-4555 (N.D. Cal.). Defendant's
25 time to respond to the complaint in this action was previously extended from January 26, 2009,
26 to February 25, 2009, by Order dated February 9, 2009 (DI 10). Plaintiffs Marvell
27 Semiconductor, Inc. and Marvell Asia Pte., Ltd. do not oppose defendant's request.

1 This stipulated request is made on the grounds that the parties wish to avoid duplicative
2 motion practice. The Court's anticipated ruling in the related *Intel* case will give the parties
3 substantial guidance as to how to proceed in the instant action. Accordingly, it is in the interest
4 of private and judicial economy to extend the time for Wi-LAN Inc. to answer or otherwise plead
5 until a date ten (10) days after this Court's ruling in *Intel Corp. v. Wi-LAN Inc. et al.*

6 So stipulated,

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28 STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO RESPOND
TO AMENDED COMPLAINT
Case No. C 08-CV-05544 JW

- 2 -

1 Dated: February 18, 2009

MCKOOL SMITH PC

2 By: _____/s/
3 MCKOOL SMITH PC
4 Gayle Rosenstein Klein
5 State Bar No. 237975
6 399 Park Avenue, Suite 3200
7 New York, New York 10022
8 Telephone: (212) 402-9400
9 Facsimile: (212) 402-9444
10 Email: gklein@mckoolsmith.com

11 Attorneys for SPECIALLY
12 APPEARING DEFENDANT Wi-LAN
13 Inc.

14 Dated: February 19, 2009

15 FINNEGAN, HENDERSON,
16 FARABOW, GARRETT & DUNNER,
17 L.L.P.

18 By: _____/s/
19 Lily Lim
20 State Bar No. 214536
21 FINNEGAN, HENDERSON,
22 FARABOW, GARRETT & DUNNER,
23 L.L.P.
24 3300 Hillview Ave.
25 Palo Alto, California 94304-1203
26 Telephone: (650) 849-6600
27 Facsimile: (650) 849-6666
28 Email: lily.lim@finnegan.com

29 Attorneys for plaintiffs Marvell
30 Semiconductor, Inc. and Marvell Asia
31 Pte., Ltd.

32 STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO RESPOND
33 TO AMENDED COMPLAINT
34 Case No. C 08-CV-05544 JW

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1 **IT IS SO ORDERED AS MODIFIED:**

2 The Court's Order on February 20, 2009 STAYED all deadlines in ALL related Cases. The Stipulation is found a
3 MOOT.

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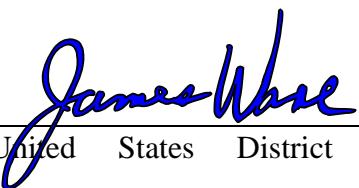
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8 Dated: February 20, 2009

9 By:

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11 United States District Court Judge

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McKool Smith
A Professional Corporation • Attorneys
New York, N.Y.

STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO RESPOND
TO AMENDED COMPLAINT
Case No. C 08-CV-05544 JW

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CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2009, a true and correct copy of the foregoing STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO RESPOND TO AMENDED COMPLAINT was filed electronically with the Clerk of the Court using CM/ECF System. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

By: /s/ Michael G. McManus
Michael G. McManus

MCKOOL SMITH
A Professional Corporation • Attorneys
New York, N.Y.